

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

----- X
William D. Perkins, on behalf of himself and all others
similarly situated, :
Plaintiffs, :
vs. : No. 3:11-CV-082-REP
James B. Crawford, Robert H. Foglesong, Richard M.
Gabrys, Robert B. Holland, Bobby R. Inman, Dan R. Moore,
Baxter F. Phillips, Jr., Stanley C. Suboleski, Linda J. Welty,
Massey Energy Company, and Alpha Natural Resources,
Inc., :
Defendants. :
----- X

**DEFENDANTS' MOTION TO STAY PROCEEDINGS PENDING RESOLUTION OF
THE SAME SHAREHOLDER CLASS ACTION CLAIMS PENDING BEFORE THE
DELAWARE CHANCERY COURT**

Defendants, by counsel, for the reasons stated in the accompanying Memorandum of Law, move the Court to stay all claims pending resolution of the proceedings in the Delaware Chancery Court based on the Court's inherent powers and the principles set forth in Colorado River Water Conservation District v. United States, 424 U.S. 800 (1976).

Respectfully submitted,

ALPHA NATURAL RESOURCES, INC.

By:

/s/ Robert M. Rolfe

Robert M. Rolfe, Counsel

Robert M. Rolfe (VSB No. 15779)
Erin L. Barrett (VSB No. 74928)
HUNTON & WILLIAMS LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, Virginia 23219
(804) 788-8466
rrolfe@hunton.com

Mitchell A. Lowenthal
Boaz S. Morag
CLEARY GOTTLIEB STEEN & HAMILTON
LLP
One Liberty Plaza
New York, NY 10006
(212) 225-2000

Michael R. Lazerwitz
CLEARY GOTTLIEB STEEN & HAMILTON
LLP
2000 Pennsylvania Avenue, NW
Washington, DC 20006
(202) 974-1500

*Attorneys for Defendant Alpha Natural Resources,
Inc.*

/s/ Timothy J. St. George

Alan D. Wingfield (VSB No. 27489)
Timothy J. St. George (VSB No. 77349)
TROUTMAN SANDERS LLP

1001 Haxall Point
P.O. Box. 1122
Richmond, VA 23218-1122
Telephone: (804) 697-1254
Facsimile: (804) 698-6013
alan.wingfield@troutmansanders.com

CRAVATH, SWAINE & MOORE LLP

Stuart W. Gold

Julie A. North

825 Eighth Avenue
Worldwide Plaza
New York, NY 10019-7475
Telephone: (212) 474-1000
Facsimile: (212) 474-3700

*Attorneys for Defendants Massey Energy
Company, James B. Crawford, Robert H.
Foglesong, Richard M. Gabrys, Robert B. Holland,
Bobby R. Inman, Dan R. Moore, Stanley C.
Suboleski, and Linda J. Welty*

/s/ Stephen E. Baril

Stephen E. Baril (VSB No. 19604)
SANDS ANDERSON PC

1111 E. Main Street, Suite 2300
Richmond, VA 23219-2906
Telephone: (804) 783-7234
Facsimile: (804) 783-7291
SBaril@SandsAnderson.com

Attorneys for Defendant Baxter F. Phillips, Jr.

CERTIFICATE OF SERVICE

I certify on this 11th day of March, 2011, I filed a copy of the forgoing with the Court's ECF filing system, and thereby served a copy of this instrument to the following attorneys:

Elizabeth K. Tripodi, Esq.
Finklestein Thompson LLP
1050 30th Street, NW
Washington, DC 20007

Hamilton Lindley, Esq.
Goldfarb Branham LLP
2501 N. Harwood Street
Suite 1801
Dallas, TX 75201

/s/ Robert M. Rolfe

Robert M. Rolfe, Counsel